

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 160

To impose a moratorium on immigration by aliens other than refugees, certain priority and skilled workers, and immediate relatives of United States citizens and permanent resident aliens.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 5, 1995

Mr. SHELBY (for himself, Mr. CRAIG, Mr. FAIRCLOTH, and Mr. HEFLIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To impose a moratorium on immigration by aliens other than refugees, certain priority and skilled workers, and immediate relatives of United States citizens and permanent resident aliens.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; REFERENCES IN ACT.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Immigration Moratorium Act of 1994”.

6       (b) REFERENCES IN ACT.—Except as otherwise ex-  
7       pressly provided, whenever in this Act an amendment is  
8       expressed in terms of an amendment to a section or other

1 provision, the reference shall be considered to be made to  
2 a section or other provision of the Immigration and Na-  
3 tionality Act.

4 **SEC. 2. IMMIGRATION MORATORIUM DEFINED.**

5 As used in this Act, the term “immigration morato-  
6 rium” means the 5-year period beginning on October 1,  
7 1994, and ending on September 30, 1999.

8 **SEC. 3. WORLDWIDE LEVELS OF IMMIGRATION.**

9 Notwithstanding section 201 of the Immigration and  
10 Nationality Act (8 U.S.C. 1151), during the immigration  
11 moratorium in lieu of the worldwide levels of immigration  
12 under section 201 (c), (d) and (e)—

13 (1) the worldwide level of family-sponsored im-  
14 migrants for a fiscal year under section 201(c) is  
15 325,000, minus the sum of—

16 (A) the number of refugees admitted under  
17 section 207;

18 (B) the number of spouses and children of  
19 a citizen of the United States admitted under  
20 section 201(b)(2)(A); and

21 (C) the number of employment-based im-  
22 migrants described in sections 203(b) (1) or (2)  
23 who were issued immigrant visas, or who other-  
24 wise acquired the status of aliens lawfully ad-

1           mitted to the United States for permanent resi-  
2           dence.

3           (2) the worldwide level of employment-based  
4           immigrants for a fiscal year under section 201(d) is  
5           50,000; and

6           (3) the worldwide level of diversity immigrants  
7           for a fiscal year under section 201(e) is zero.

8   **SEC. 4. ALLOTMENT OF VISAS.**

9           (a) Notwithstanding section 203 of the Immigration  
10          and Nationality Act (8 U.S.C. 1153), during the immigra-  
11          tion moratorium, visas may be allotted in any fiscal year  
12          under section 203 only as follows—

13           (1) spouses and unmarried children of perma-  
14          nent resident aliens who qualify under section  
15          203(a)(2)(A) and who were holding priority dates as  
16          of the effective date of this Act shall be allotted  
17          visas in a number equal to 40 percent of the world-  
18          wide level of immigration of family-sponsored immi-  
19          grants under section 3(1) of this Act;

20           (2) in lieu of the number of visas that otherwise  
21          would be available to parents of a citizen of the  
22          United States under section 201(b)(2) of the Immi-  
23          gration and Nationality Act (8 U.S.C. 1153), the  
24          number of visas that shall be allotted in any fiscal  
25          year to such parents of a citizen of the United

1 States shall, notwithstanding section 201(b), be a  
2 number equal to 60 percent of the worldwide level  
3 of immigration of family-sponsored immigrants for  
4 that fiscal year under section 3(1) of this Act;

5 (3) qualified immigrants holding priority dates  
6 as of the effective date of this Act who are sons and  
7 daughters of United States citizens shall be allocated  
8 visas in a number equal to 75 percent of the maxi-  
9 mum number of visas available but not issued under  
10 paragraphs (1) and (2);

11 (4) qualified immigrants holding priority dates  
12 as of the effective date of this Act who are the sons  
13 and daughters of permanent resident aliens shall be  
14 allocated visas in a number equal to 25 percent of  
15 the maximum number of visas available but not is-  
16 sued under paragraphs (1) and (2);

17 (5) qualified immigrants holding priority dates  
18 as of the effective date of this Act who are the  
19 brothers or sisters of citizens of the United States,  
20 if such citizens are at least 21 years of age, shall be  
21 allocated visas in a number equal to the number of  
22 visas available but not issued for the classes speci-  
23 fied in paragraphs (3) and (4);

1           (6) employment-based immigrants who qualify  
2           under sections 203(b) (1) or (2) shall be allotted not  
3           more than 50,000 visas;

4           (7) the number of visas that shall be allotted to  
5           other aliens subject to the worldwide level of employ-  
6           ment-based immigrants shall be zero; and

7           (8) the number of visas that shall be allotted to  
8           diversity immigrants under section 203(c) shall be  
9           zero.

10          (b) Nothing in this Act shall limit the number of visas  
11          that otherwise are available to spouses and children of a  
12          citizen of the United States under section 201(b)(2)(A)  
13          of the Immigration and Nationality Act (8 U.S.C.  
14          1151(b)(2)(A)).

15       **SEC. 5. GRANTING IMMIGRANT STATUS.**

16          During the immigration moratorium, the Attorney  
17          General may not accept or approve any petition for classi-  
18          fication under section 204 of the Immigration and Nation-  
19          ality Act except for classification by reason of being—

20               (1) a spouse or child of a citizen of the United  
21               States as described in section 201(b)(2)(A);

22               (2) a spouse or child of a permanent resident  
23               alien as described in section 203(a)(2)(A);

1           (3) a parent of a citizen of the United States  
2           as described in section 201(b)(2)(A) to the extent al-  
3           lowed by section 4(a)(2) of this Act;

4           (4) qualified immigrants holding priority dates  
5           as of the effective date of this Act who are sons and  
6           daughters of United States citizens or of permanent  
7           resident aliens or brothers or sisters as specified in  
8           paragraphs (3), (4), and (5) of section 4 of this Act;  
9           or

10          (5) by reason of employment-based immigrant  
11          status under sections 203(b) (1) or (2) of the Immi-  
12          gration and Nationality Act.

13          Petitions submitted during the moratorium that may not  
14          be accepted or approved shall be returned to the persons  
15          who filed the petitions.

16          **SEC. 6. ANNUAL ADMISSION OF REFUGEES.**

17          Notwithstanding any other provision of law, during  
18          the immigration moratorium, the number of refugees who  
19          may be admitted under section 207 of the Immigration  
20          and Nationality Act (8 U.S.C. 1157), including the num-  
21          ber of admissions made available to adjust to the status  
22          of permanent residence the status of aliens granted asy-  
23          lum under section 209(b) of the Immigration and Nation-  
24          ality Act, shall not exceed 50,000 in any fiscal year.

1 **SEC. 7. IMMEDIATE RELATIVES DEFINED.**

2       During the immigration moratorium, the term “im-  
3 mediate relatives” for purposes of section 201(b) means  
4 the children and spouse of a citizen of the United States  
5 who shall have acquired citizenship under chapter 1 of title  
6 III of the Immigration and Nationality Act.

7 **SEC. 8. EFFECTIVE DATE.**

8       This Act shall take effect upon enactment.

